THE ISLAMIC RULING CONCERNING THE CLOTHING OF THE PIOUS

The Shar'i proofs of the non-slit Arab kurta being Sunnah

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KURTA !!!
IS YOURS ACCORDING TO
THE SUNNAH?

THE SUNNAH KURTA!!!

KURTA .....
SLIT OR NON-SLIT!!!

قال اللہ تعالیٰ قُلْ إِنْ كُنْتُمْ تُحِبُّونَ اللّٰهَ فَاتَّبِعُونِي يُحْبِبْكُمُ اللّٰهُ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ (آل عمران ع ۴)

الفتویٰ
فی لباس الصالحین

قمیص بے شگاف (یعنی گول کرتہ)

نصف ساق تک مسنون ہونے کا اثبات

مع

دلائل شرعیہ

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سنہ ۱۹۷۹ء

Preface

Clothing of the Pious

All praise is due only to Allaah. We laud Him and beseech His aid and beg forgiveness only from Him and believe in Him and rely solely on Him. We seek salvation in Him from the evils of our inner selves and the vices of our actions. There is none to misguide one whom Allaah intends to guide. I bear witness that there is no one worthy of worship but Allaah, the One who has no partner. I also testify that Hadhrat Muhammad ρ is the faithful servant and the Last Rasul of Allaah. May Allaah Ta'ala's mercy be on him, his family and his Sahabaah τ and may He bless them and raise their status.

This booklet is a compilation by Moulana Abdur Rauf a student of Mazaahir Uloom of the famous institute in Saharanpur, U.P. India. The answer is provided by the grand Mufti of Bangladesh, Hadhrat Moulana Faydhullaah and approved by the Muftis of Mazahir Uloom.

In some quarters the laws pertaining to the size, length and shape of the Kurta has become hair splitting and nerve wrecking.

Whilst in other areas the matter has reached levels of hiring and firing, raising cries of 'slit' or 'split' (go). Fortunately the above burning issue has been academically, professionally addressed in most civil and cultured manner utilizing the proofs from reliable authentic sources.

Discussion on the word 'Qamis' is made then proofs rendered from the Sunnat, Ahadith and Fiqh books.

The research shows;

1.) 'Sunnah is that which Nabi ρ or any of his companions did.' (Imam Tahawi (A.R));
2.) 'It would be impossible to perform Salaat wearing the slit kurta in vogue …'
3.) 'The one who adopts these dimensions (anywhere from below the knees till above the ankles) will be regarded as having fulfilled the Sunnah' -Shaykh Muhaddith Dehlawi;
4.) Imam Nawawi (r.a) writes, 'There is no problem in wearing ones garment from anywhere between the knees till the ankles, but till half the shin is preferable (Mustahab), and lower than this till the ankle is permissible and not detested at all. Whatever falls below the ankles is prohibited. ' [Commentary of Sahih Muslim vol.2 p.195].
5.) The Sunnah length will be till half the shin, but whatever is below this but above the ankles will also be permissible.

6.) ‘Nevertheless, it will be permissible to lower it till above the ankles.’ Allamah Qadhi Thanaullaah Pani Patti.
7.) Defining the Qamis, Mulla Ali Qari (r.a) says, “It is sewn garment with sleeves, having no slits.”
8.) The fact that our pious elders chose to wear the non-slit clothing in preference to the slit clothing is sufficient proof of its superiority.
9.) Hadhrat Umar τ ‘Refrain from the dress code of the non- Arabs.’
10.) If a pious person or a spiritual mentor (no matter who he may be) is seen wearing a kurta that is contrary to the Sunnah, or does anything for that matter that is contrary to the Sunnah, he cannot be followed, and his action cannot be regarded as any proof or evidence in the Shariah. However, it is acceptable for him to err as he is human and not an angel.

The author of Tafsir Mazhari, Qadhi Thanaullah Pani Patti (r.a) says, ‘Anyone who says or does anything contrary to Sunnah will have to be rejected, irrespective of who the person is.’

Then the ruling of the Mufti of India, Hadhrat Mufti Mehmood ul Hasan Gangohi (r.a) is presented followed by the ruling of the Mufti of Pakistan, Hadhrat Mufti Shafi (r.a).

Thus adherence to the reliable authenticated will lead to salvation in all worlds.

Allaah Jalla Majdahu bless all.

A.H.Elias (Mufti)

Muharram 1431
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Durban.

About the Book

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May Allaah Jalla Majdahu accept the effort of the respected author and all those who aided in this most valuable work.

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Mujaddidul Millah, Hâdil Ummah, Muhyis Sunnah, Mâhil Bidʿah, Hujjatul Islaâm, ‘Allâmatud Dahr, Al Hâj, Al-Muftî Al-Aʿžam (Grand Mufti of Bangladesh) Hadhrat Maulânâ Faydhullâh’s response to a question regarding “slit kurtas” – Dârul ʿUlûm Hâth Hazârî, Châtgâm, Bangladesh.

Question

What do the ‘Ulamâ’ and the Muftîn have to say regarding the following:-

1) Are the slit kurtas the clothing of the Fussâq (sinners) and Bidʿatis (innovators), or is it permissible to wear them? Please elaborate with proof.
2) Is the Arab round non-slit kurta the Sunnat attire or is it Mustahab (preferable)? Is this type of kurta the clothing of the Salafus Sâlihîn, or is it the attire of the later pious people only?

Please explain with proof.

Answer

We praise Allaâh and send salutations on his noble messenger.

It should be noted that there are few types of clothing that are common among the ʿUlamâ’ and students of our society.

1) Punjâbi kurta: the description of this kurta is known to all.
[The author refers to the people of Bangladesh in his era – translator]

It is extremely short with out slits. This type of kurta is common among the Fussâq and Fujjâr (sinners and transgressors).

2) Such a kurta which has slits that are so long that the one wearing it appears to be naked. i.e. the slits go up to the thighs.

3)Such a kurta whose length reaches half the shin together with extremely short slits approximately four, ten or twelve fingers in length.

4) Such a kurta which reaches half the shin and does not have any slits i.e. it is similar to the common non-slit Arab kurtas.

Concerning the first two types, there is no doubt that it should be prohibited due to them coming under the purview of the following Ahâdîth:-

1) The one who imitates a nation is part of them.
2) The one who increases the number of a people is part of them.
3) Many a persons who was clothed in the world will be naked on the day of Qiyâmah (due to them wearing insufficient clothing to cover their ʿAwrah (parts of the body necessary to cover)

As far as the third type of kurta is concerned, since there is no cause for its prohibition, neither any reason for its preference, thus it will be permissible to wear.

Before explaining the rule concerning the fourth type it is imperative to explain a few preludes.

1) In substantiating the laws of Sharîʿah just as explicit sources (ʿIbâratun Nass) and text are taken into consideration similarly implicit texts (Ishâratun Nass) are also regarded (according to its various categories), as explained in the books of Usûl (principles) of Fiqh.
2) The actions and practices of Sahabah ψ which Nabi ρ approved of, are attributed to Nabî ρ himself. (Referred to as tacit approvals).
3) The tacit approvals of Nabî ρ, even though they be the mere habits of Sahabah ψ, can be regarded as sunnah or Mustahab, as stated by Imam Tahâwî :-

والسنة ما فعل النبي صلى الله عليه وسلم أو أحد من أصحابه

‘Sunnah is that which Nabî ρ or any of his companions did.’

4) The clothing that Nabî ρ loved and use to wear the most was the Qamîs (kurta).

Proof 1

The narration of Umme Salamah

كان أحب الثياب إلى رسول الله صلى الله عليه وسلم القميص

‘The most beloved clothing to Rasûlullâh ρ was the Qamis (kurta)
[Abû Dâwûd , Tirmizî, Mishkât vol. 2 p.374]

Proof 2

قال الإمام زين الدين العراقي رحمه الله فيه ندب لبس القميص وأنه كان أحب الثياب إلى رسول الله صلى الله عليه وسلم لما فيه من مزيد الستر لاحاطته بالبدن بالخياطة بخلاف الرداء والإزار وغيرها مما يحتاج إلى ربط وإمساك ولف وعقد وربما غفل عنه لابسه فيبسط بخلاف القميص . شرح الشمائل ٨ □ ١

Imam Zaynud Dîn Al-ʿIrâqî ⌡ says: ‘From the above hadîth we can deduce that it is preferable to wear the Qamîs, and that it was the most beloved clothing for Rasûlullaâh ρ due to it being more concealing. This is on account of it being sewn in such a way that it covers the entire body. Contrary to the Ridâ (Sheet/cloth worn over the upper part of the body) and the izâr (lower sheet) and other such garments that either have to be folded, tied or fastened in some way or the other. If a person is negligent in securing it, it can open up. This is not so with the Qamîs. [Sharh ush Shamâil vol.1 p.8]

Proof 3

عن سلمة بن الأكوع رضي الله عنه قال قلت يا رسول الله إني رجل أصيد أفأصلي في القميص الواحد قال نعم وأزرره ولو بشوكة. أبو داؤد و النسائي، مشكاة ٧٣ □ ١

Salama bin Akwaʿ ⌉ narrates that I asked Rasûlullâah ρ, “I am fond of hunting, can I perform salâh in a Qamîs only (only a kurta without a trouser or lungi). Rasûlullâah ρ replied, “Yes, but fasten it. Even it means using a thorn.”

Proof 4

عن أبي بكر المليكي رحمه الله قال امنا جابر بن عبد الله في قميص ليس عليه رداء فلما انصرف قال رأيت رسول الله صلى الله عليه وسلم يصلي في قميص واحد . أبو داؤد . وقيل لرسول الله صلى الله عليه وسلم أصلي في القميص الواحد قال نعم . أبو داؤد

Abû Bakr Mulaykî ⌡ narrates that once Jâbir ⌉ led us in Salâh while dressed only in a kurta upon which there was no other cloth (neither wearing any trouser or lungi). After

completing Salâh, he said that he had seen Rasûlullâah ρ performing Salâh in a kurta only (without a lungi or trouser).

From the above mentioned narrations it is evident that Rasûlullaâh ρ himself and the Sahâbah ψ used to read Salâh in one piece of clothing. **It would be impossible to perform Salâh wearing the slit kurtas in vogue as without any doubt, the ʿAwrah would be exposed. Concealing the ʿAwrah is among the Farâ'id (obligatory actions) of Salâh.**

Proof 5

عن ابن عباس رضي الله عنه أنه صلى الله عليه وسلم كان يلبس قميصا فوق الكعبين .الجامع الصغير للسيوطي

It is narrated from Ibn ʿAbbâs ⌉ that Rasûlullâah ρ used to wear a Qamîs (kurta) that used to be above the ankles. [Al Jâmi us Saghîr of Suyûtî from Ibn Mâjah – Mirqât vol.8 p.248, Pakistan]

Proof 6

ولفظ الحاكم في مستدركه كان قميصه فوق الكعبين

Hâkim narrates in his Mustadrak, "The Qamîs of Rasûlullâah ρ used to be above his ankles."

It is also known that Nabî ρ greatly emphasized wearing the izâr (a piece of cloth used as a lower garment) upto half the shin. Bear this in mind when studying the seventh proof.

Proof 7

ما قال رسول الله صلى الله عليه وسلم في الازار فهو في القميص . أبو داؤد ٢١٢ / ٢

ʿAbdullâh bin ʿUmar ⌉ says, "What Rasûlullaâh ρ stipulated regarding the izâr (its length being till half the shin) also applies to the Qamîs.[1]

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[1] أخرج ابن سعد عن أم كلثوم أنها رأت عليا ومعه مخفقة وعليه رداء سنبلائي وقميص كرابيسي إلى نصف ساقيه الإزار والقميص (الطبقات الكبرى ٣ / ٢١)

Ibn Saʿd narrates on the authority of Umm Kathîra that she saw ʿAlî ⌉ with a staff, and he was wearing a long shawl together with a white cotton kurta and a lower garment (lungi), both of which extended to half the shin. [Tabaqât al Kubrâ vol.3 p.21] - Translator

Proof 8

وأما القدر المستحب في ما ينزل إليه طرف القميص والازار فنصف الساقين

Imâm Nawawî ٮ writes in his commentary of Sahîh Muslim,

'The preferable extent that the hem of the Qamîs (kurta) should reach, is till half the shin.' [Commentary of Sahîh Muslim vol.2 p.195]

Proof 9

Shaykh Muhaddith Dehlawî ٮ writes in Madârij un Nubuwwah (vol.1 p.472), 'The hem of the blessed Qamîs, izâr (lungi), and Ridâ (sheet) of Rasûlullaâh ρ used to reach half the shin.'

He further writes, 'The term 'middle of the shin' that is found in the hadîth points to the fact that it does not have to be precisely half the shin. **Anywhere from below the knees till above the ankles will fall under the context of these words. The one who adopts these dimensions will be regarded as having fulfilled the Sunnah.'**

Proof 10

كما في حديث ابن عمر المذكور ولا جناح فيما بينه وبين الكعبين – فالمستحب نصف الساقين والجائز بلاكراهة ما تحته إلى الكعبين – فما نزل عن الكعبين فهو ممنوع . مسلم ١٩٥ □ ٢

Imâm Nawawî ٮ writes, 'There is no problem in wearing ones garment from anywhere between the knees till the ankles, but till half the shin is preferable (Mustahab), and lower than this till the ankle is permissible and not detested at all. Whatever falls below the ankles is prohibited. ' [Commentary of Sahîh Muslim vol.2 p.195]
1

Hence, the clothing that was most beloved to Rasûlullaâh ρ and most frequently used by him, the Sahâbah ψ, the Tâbiʿîn will without any doubt be the most desirable and recommended. Similarly, as mentioned above, **the Sunnah length will be till half the shin, but whatever is below this but above the ankles will also be permissible.**

Proof 11

ʿAllâmah Qadhî Thanâullâh Pânî Pattî ٮ writes, 'One should not wear such appealing and fashionable clothing that attracts the attention of people, and the hem of the

kurta should extend to half the shin. **Nevertheless, it will be permissible to lower it till above the ankles.** [Mâ Lâ Budda Minhu p.120 – Chapter on Clothing]

Proof 12

وكالقميص فانها عند العرب ثوب سابغ يضرب الكعبين . فيض الباري ٣٧٥ ٤

Imâm ul ʿAsr ʿAllâmah Anwar Shâh Kashmîrî ﺭ says, 'According to the Arabs, the Qamîs is a garment that is long and reaches the ankles. (Contrary to the Qamîs of the people of India which only reaches upto the thigh, and as far as terminology is concerned, that of the Arabs is considered and accepted.]

Proof 13

Mullâ ʿAlî al Qârî ﺭ states that Shaykh Jazrî ﺭ has defined the Qamîs as,

هو ثوب مخيط بكمين غير مفرج

'It is a sewn garment with sleeves, having no slits.'

Proof 14

Whenever someone from amongst the Sahâbah ψ asked Rasûlullaâh ρ permission to perform Salâh in one garment only, he was granted permission. In this instance, **the Salâh can only be valid if we regard the Qamîs to be without slits till half the shin, otherwise the thighs would become exposed, rendering the Salâh invalid.**

Proof 15

It is narrated regarding Salama bin Akwaʿ ﺭ that at times, for hunting purposes, he would remain in only one garment. **This would be permissible only when the Qamîs together with being upto half the shin had no slits, otherwise his ʿAwrah would have become exposed.**

Proof 16

It is mentioned in the books of Fiqh that if a person performs Salâh in one garment only, and he is able to see his ʿAwrah through the opening of his collar, his Salâh will be intact.

From this we deduce that the concept of Qamîs according to the Fuqahâ' is that which reaches half the shin without slits. Otherwise, it is impossible to understand the permissibility of the Salâh. (If slits were present, then the thighs would have become exposed on account of no lower garment.)

Proof 17

The clearest proof, is that the Arabs from the time of Rasûlullaâh ρ up till this day wear the kurta that reaches mid-shin, without slits. Over and above this is the Ta῾âmul and Tawâruth (continuous practice) of the pious predecessors which is regarded as an independent proof according to the Fuqahâ'.

Proof 18

The fact that our pious elders chose to wear the non-slit clothing in preference to the slit clothing is sufficient proof of its superiority. To imitate the pious is surely a means of success. It is stated in a hadîth,

من تشبه بقوم فهو منهم . أبو داؤد

'Whoever imitates a nation is from amongst them.' [Sunan Abû Dâwûd]

If someone objects, saying, 'What is necessary is to cover the body, irrespective how this is done', it will be said, 'If just the mere covering of the body was desired in Sharî῾ah then we would not have found the Fuqahâ' and Muhaddithîn mentioning a complete chapter on clothing, nor would there have been so many ahadith narrated from Rasûlullaâh ρ regarding this subject.

Therefore, we can confidently say that it is not just a matter of covering the body, but an action of merit and reward too. This will be the case if one does it in the way of Rasûlullâah ρ.

Mention is made in the books of fiqh regarding the prohibition of such clothing that the westerners and tyrants wear. **How can it ever be that the ῾ulamâ' who are the inheritors of the legacy of Rasûlullâah ρ ever wear the clothing of the non-῾ulamâ'!** Hence, it is mentioned in Hidâyah (Renowned Hanafî Fiqh work),

ولأنه من زي الأكاسره والجبابره والتشبه بهم حرام وقال عمر رضي الله عنه إياكم وزي الأعاجم

'...because it is the clothing of the kings and oppressors, and imitating them is forbidden. ῾Umar] said, **"Refrain from the dress code of the non-Arabs."**

Thus it is as clear as daylight that such clothing (of the non-Arabs) that does not match the Arab clothing is contrary to the Sunnah and should be shunned.

Similarly, we have been prohibited from imitating the non-Arabs in other matters. In a hadîth it is explained:

فقال صلى الله عليه وسلم لا تقوموا كما تقوم الأعاجم يعظم بعضهم بعضا .أبو داؤد ، مشكاة ٤٠٣ □ ٢

"Do not stand in honouring one another like the non-Arabs."
[Sunan Abû Dâwûd, Mishkât vol.2 p.403]

The objective of the establishment of IslAâmic institutes is that together with imparting knowledge, our students become Muttaqî (conscious of AllAâh |), AllAâh Wâla (friends of AllAâh |), Sûfî (pious), and Dâ῾î (inviters) to Dîn. These institutes were not established to learn the Arabic language only.

It is now clear that the non-slit kurta, extending to half the shin is Sunnah. If a person mocks at, or makes a joke of any outwardly trivial aspect of Dîn, then he comes under the stern warnings mentioned in the Ahâdith. Therefore it is imperative that every Muslim abstains from such actions.

A Persian couplet says:

No matter which path you tread contrary to the way of the messenger ρ you will never reach your destination.'

It is important that every Muslim adheres to the Sunnah. Only in it lies true success. It is important that this Sunnah of RasûlullâAh ρ (the non-slit kurta till half the shin) should not be neglected or treated lightly, as practising on any Sunnah is better than the worship of many years.

Shaykh ῾ Abdul Haqq Muhaddith Dehlawî ∫ explains, 'To practice upon the Âdâb (etiquettes) proven from ahadith of relieving oneself with the intention of Sunnah is far better than building Madâris (Islâmic Institutes) and Ribât (travellers rest houses). [Ashi῾atul Lama῾ât vol.1 p.147]

Moreover, Mujaddid Alf Thânî ∫ mentions in his Maktûbât, 'To practice on the Sunnah of Rasûlullâah ρ to the extent of an atom can never be equated to all the enjoyments and bounties of the next life.' [Maktûbât vol.1 p.135]

The reward will be increased indefinitely, especially in this age that is full of tests and trials.

عن أبي هريرة رضي الله عنه قال قال رسول الله صلى الله عليه وسلم من تمسك بسنتي عند فساد أمتي فله أجر مائة شهيد . بيهقي ،مشكاة ٣٠ 1

It is narrated by Abû Hurayrah) in a hadîth, Rasûlullaâh ρ said, “The one who holds fast to my Sunnah at the time of the corruption of my ummah will attain the reward of a hundred martyrs.” [Bayhaqî, Mishkât vol.1 p.30]

If a pious person or a spiritual mentor (no matter who he may be) is seen wearing a kurta that is contrary to the Sunnah, or does anything for that matter that is contrary to the Sunnah, he cannot be followed, and his action cannot be regarded as any proof or evidence in the Shariah. However, it is acceptable for him to err as he is human and not an angel.

The author of Tafsîr Mažharî, Qâdhî Thanâullâh Pâni Pattî J says, ‘Anyone who says or does anything contrary to Sunnah will have to be rejected, irrespective of who the person is.’

‘ Â‘isha g reports that Rasûlullaâh ρ said,

من أحدث في أمرنا هذا ما ليس منه فهو رد. متفق عليه، مشكاة ٢٧ 1

“Whoever brings about something new in this dîn of ours which is not part of it will be rejected.” [Mishkât vol.1 p.27]

A Persian couplet states:

‘No action or statement of any spiritual guide is a proof in Sharî‘ah (if it conflicts the Sunnah of Rasûlullâah ρ. The truth that was revealed from Allâah | and the way of Rasûlullaâh ρ has to be followed.

Rasûlullaâh ρ has given testimony of excellence regarding three eras, that of the Sahâbah ψ, Tâbi‘în, and the Tab‘ ut Tâbi‘în.

عن عمران بن حصين رضي الله عنه قال قال رسول الله صلى الله عليه وسلم خير أمتي قرني ثم الذين يلونهم ثم الذين يلونهم ثم إن بعدهم قوما يشهدون ولا يستشهدون . متفق عليه ،مشكاة ٥٥٣ 2

ʿImrân bin Husayn ˥ narrates from Rasûlullaâh ρ, “The best of my ummah is my era, thereafter those who come after them, thereafter those who come after them. After these groups will be a nation who will give testimony whilst they will not be asked to … [Sahîh Bukhârî, Sahîh Muslim, Mishkât vol.2 p.553]

The occurrence of differences after these blessed eras has been mentioned in the ahadith:

عن العرباض بن سارية رضي الله عنه في آخره قال صلى الله عليه وسلم أوصيكم بتقوى الله والسمع والطاعة وإن كان عبدا حبشيا فإنه من يعش منكم بعدي فسيرى اختلافا كثيرا فعليكم بسنتي وسنة الخلفاء الراشدين المهديين تمسكوا بها وعضوا عليها بالنواجز وإياكم والمحدثات الامور فان كل محدثة بدعة وكل بدعة ضلالة . أحمد وأبو داؤد ، مشكاة ٢٩ـ٣٠ □ ١

Nabî ρ said, “I advise you with the fear of Allaâh and obedience to your leaders, even if he be an Abysinnian slave, for verily he who remains from among you will see abundance of difference. Therefore, hold fast to my Sunnah and the Sunnah of the rightly guided successors… [Musnad Ahmad, Sunan Abû Dâwûd, Mishkât vol.1 p.29-30]

Thus, during the trying times of differences, if these three eras will be kept as an example, then success is inevitable.

Compiled by a Student

ʿAbd ur Ra’ûf (May Allaâh forgive him and the translators)

The Clothing of Nabî ρ

The fatwa (verdict) of Faqîhul Ummah Al-Mufti Al-'Ažam of India Hadhrat Muftî Mahmûd Al Hasan Gangohî ϑ regarding the clothing of Nabî ρ,

Question : What type of clothing was common during the time of Rasûlullâah ρ?
Answer: Kurtas were used and in vogue long before the time of Rasûlullâah ρ, the Qur'ân mentions with regard to the kurta of Yûsuf υ,

Nevertheless, as far as the Indian kurta is concerned, it was not worn by the Arabs. **The kurta of the Arabs generally used to be till above the ankles and round, i.e. it did not have the slits that our Indian kurtas have. [Malfûžât Faqîhul Ummah part 5 p.43]**

An Excerpt from Thamarâtul Aw*râq*
by Al-Mufti Al-A'azam of Pakistan Hadhrat Mufti Shafi' Al-Uthmâni Al-Deobandi

It is narrated in the Sunan al Arbaʿah (four famous books of hadîth) from Salamah bin Akwaʿ τ that he said to Rasûlullâah ρ that I am a hunter, (tying a lower garment and running is difficult). Is it permissible that I wear only the kurta and perform Salâh wearing it as well? Nabî ρ replied, "Yes, but fasten the collar even if it means using a thorn."

Note: The kurta of the Arabs used to be long, reaching half the shin, and there were no slits on the left or right hand side. Based on this, in wearing only the kurta there was no possibility of any nakedness or any of the private areas (ʿawrah) being exposed. [Thamarâtul Aw*râq a compilation of the monthly journal "Al-Mufti"-Deoband* p.15]

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